

**REMARKS**

Claims 12-21 are presently pending and under examination. Claims 17 and 20 have been amended herein to describe the claimed invention with further particularity.

Applicant respectfully requests entry of the amendment and removal of the objection to the specification.

Claim 17 has been amended to recite a method for determining the “relative” concentrations of a first analyte and a second analyte in a sample of body fluid and to recite the phrase “ wherein the first analyte comprises said reference analyte and said second analyte comprises said target analyte, and wherein the concentration of said first analyte is clinically related to the concentration of said second analyte.” As amended, claim 17 now recites the presence of a clinical relatedness between the first and second analytes, an element previously recited in claim 20, from which the element is now removed by the above-proposed amendment. Support for the amendment to claim 17 can be found throughout the specification, for example, at page 14, lines 6-21 and in claim 20 as originally filed.

The above-proposed amendments serve to clarify the elements already recited and do not change the scope of the presently pending claims. As set forth above, the amendments are supported by the specification and do not add new matter. The claim amendments also do not raise new issues for consideration or necessitate a further search. Further, the amendments place the claims in better condition for allowance or appeal. Accordingly, Applicant respectfully requests that the Examiner enter the amendments.

**Rejection under 35 U.S.C. §112, Second Paragraph**

The rejection of claims 17-21 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter Applicant regards as the invention respectfully is traversed.

Applicant respectfully submits that the above-proposed amendments cure the alleged lack of clarity and render moot the present rejection. In particular, the Office Action mailed June 3, 2004, states at page 2, final sentence that “[i]t would appear that claim 17 should be directed to the detection of an analyte and the reference analyte in referred to in claim 12 and not a second analyte.” Applicant agrees and submits that, based on the teachings of the specification, a second analyte can serve as the target analyte based on the clinical relatedness to a first analyte that serves as the reference analyte. Claim 17 has been amended to clarify this embodiment, which is disclosed at page 14, lines 6-21, of the specification as originally filed.

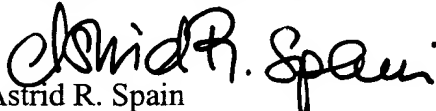
In view of the above remarks and amendments, Applicant respectfully requests removal of the rejection of claims 17-21 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter Applicant regards as the invention.

**Conclusion**

In light of the Amendments and Remarks herein, Applicant submits that the claims are now in condition for allowance and respectfully requests a notice to this effect. The Examiner is invited to contact the undersigned attorney with any questions related to this application.

Respectfully submitted,

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**Date: September 1, 2004**